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Atty Docket No. 019916-004100US

PTO FAX NO.: (703) 872-9306

ATTENTION: Examiner SMITH, ZANDRA V.

Group Art Unit 2977

**OFFICIAL COMMUNICATION**  
**FOR THE PERSONAL ATTENTION OF**  
**EXAMINER SMITH, ZANDRA V.**

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that the following documents

In re Application of STEPHEN A. EMPEDOCLES et al.

Application No. 09/827,256 filed April 5, 2001

for SPATIAL POSITIONING OF SPECTRALLY LABELED BEADS

are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Number of pages being transmitted, including this page: 10

Dated: 2 August 2005

  
Nancy Pizzo

Documents Attached

1. SB/21 - Transmittal Form
2. Amendment (8 pgs)

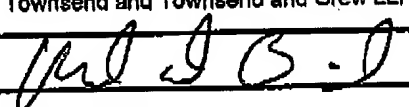
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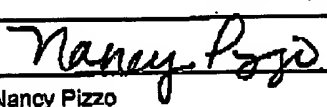
TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, CA 94111-3834  
Tele: 650-326-2400  
Fax: 650-326-2422

0269 60423266 v1

PTO/SB/21 (09-04)

<b>TRANSMITTAL FORM</b> <small>(to be used for all correspondence after initial filing)</small>	Application Number	09/827,258
	Filing Date	April 5, 2001
	First Named Inventor	WATSON, ANDREW R.
	Art Unit	2977
	Examiner Name	SMITH, ZANDRA V.
	Attorney Docket Number	019916-004100US
Total Number of Pages in This Submission		

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks: The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm Name	Townsend and Townsend and Crew LLP	
Signature		
Printed name	Mark D. Barrish	
Date	2 August 2005	Reg. No. 36,443

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By: Nancy Pizzo  
Nancy Pizzo

PATENT

Attorney Docket No.: 019916-004100US  
Client Ref. No.: 0010C-US

Customer No. 20350

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

STEPHEN A. EMPEDOCLES et al.

Application No.: 09/827,256

Filed: April 5, 2001

For: SPATIAL POSITIONING OF  
SPECTRALLY LABELED BEADS

Confirmation No. 4344

Examiner: SMITH, ZANDRA V.

T.C./Art Unit: 2977

AMENDMENT

Mailstop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed May 18, 2005, please enter the following  
amendments and remarks:

Amendments to the Claims are reflected in the listing of claims which begins on  
page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.